

Community Preservation Committee
Minutes for Meeting of 5/8/03
Acton Memorial Library
7:30- 10:15 p.m.

Committee Members Attending: Alison Gallagher, Peter Grover, Walter Foster, Peter Berry, Catherine Coleman, Susan Mitchell-Hardt, Joe Nagle, Chris Schaffner, Andy Magee, Roland Bartl

Absent: Mimi Herington, Wayne Klockner

Guests: Barbara Smith, Morene Bodner, Tom Tidman, Dave Cochrane, Karen O'Neill, Jane Ceraso, Mary Michelman

Tom Tidman, Director of Natural Resources, addressed the Committee first. He worked on the Open Space Plan with Morene and Barbara. Natural Resources is comprised of the following areas: Cemetery; Conservation; Recreation. All of these have their own commissions. He operates with 5 full-time maintenance people. There is a Land Stewardship sub-committee (LSC).

The following goals of the "old" Open Space Plan were met:

1. Development of NARA Park, 40 acres of recreational land that was a former gravel pit and slated to become Acton's next dump.
2. Instituting the LSC which has helped to maintain and upgrade trails and created a new trail guide
3. Purchase of the Morrison Farm and Camp Acton
4. The development of ½ mile of handicapped accessible trails at the Arboretum
5. Outdoor classroom behind Merriam school

Barbara Smith, one of the authors of the Open Space and Recreation Plan, spoke next. She handed out "The Purpose and Duties of Conservation Commission" which described the recreational and open land statute of Mass.

In 1957, MGL created the Conservation Commission Act (which was a lobbying force for open space). Over the years, you could hold and/or manage open space through the Wetlands Protection Act. The State mandated a conservation and outdoor recreation plan from each town. The State has some money available to purchase open space. The goal is to achieve a community consensus on how open space should be protected and used. The state dictates what should be in an open space plan.

Tom Tidman mentioned that the document is researched and compiled by an all-volunteer committee and was approved the first time around by the State. Acton's plan is used as a model for other towns.

Morene Bodner, co-author of the Open Space Plan along with Barbara and a 12-member committee; they received input from every open space and conservation group in town. A large portion of the report is an inventory of the resources/open space in Town, including cemeteries, school and state-owned land, and private land. The Division of Conservation Services, a state agency, deems this a conservation document. The plan was written during 2001-02. In the process

they culled through the Master Plan and other town planning documents and set the following three priorities:

1. Preserve Acton's remaining rural character
2. Strong environmental protection
3. Improve recreational opportunities

The Acton Conservation Trust funded an Open Space Survey in May 2001, which was sent to every household in Acton. There were 1,400 responses, which were representative of a good demographic sample. She referred us to pages 9-10 of the Plan where the survey results show the top five recreation priorities. It was somewhat surprising that bike trails and conservation areas and hiking/skiing trails came in ahead of athletic fields and children's areas. Morene urged the CP Committee to keep these desires in mind.

Morene shared the prioritized lists of open land. (The State recommends not distributing the lists widely for privacy reasons). The two lists were broken out into: 1) Chapter 61 Land; 2) Non-Chapter 61 Land. She explained that Chapter 61 is a State statute for tax abatement for the following types of land: 1) Agricultural, 2) Forestry. 3) Recreational. There were 60 parcels last year in Chapter 61.

How these properties were prioritized:

They went through the entire town atlas and evaluated all the properties according to the 3 priorities (above). Each could get a total of 10 points for each category and then they came up with a total score for each parcel. The Chapter 61 parcels were very large; most will be out of reach of the CPA, but hopefully protected in other ways.

The second list (non Chapter 61) consists of 120 parcels ranging from less than 1 acre to 150 acres. The largest are owned by WR Grace and the State. There are lots of little properties that may be able to serve key access or become a parking lot at a trailhead or protect a brook. The notations "NB" and "FB" refer to Nashoba Brook and Fort Pond Brook.

A lot of land acquisitions are opportunistic, such as Camp Acton (\$350K to purchase, with a \$200K self-help grant from the State). In most cases, they have not approached the landowners. These lists are a valuable tool in evaluating land. There are 13,000 acres in town, with 4,300 acres of significant open space (page 60 of the OS Plan).

Walter mentioned that the CPA represents a stream of income and could be used as an additional tool to those already in place when approaching landowners. Morene suggested that other groups, such as the LSC, could be a bridge to the landowners. She also stressed the importance of supporting land that will serve multiple purposes.

Susan mentioned that Stow's CP plan did a nice job with weighted criteria identifying different objective characteristics. Morene suggested that we use the OSRP criteria in evaluating land parcels.

Joe asked if a parcel is on that OSR list, would that give it more weight with the State (in receiving self-help grants). Morene said the State loves projects of regional significance, i.e., Bruce Freeman Rail Trail.

Andy said that when someone writes a proposal with opportunities for other funding, it has greater weight. He also described the possibility of a Conservation Trust Fund whereby we could bank the 10% in a revolving fund, so that we could have a quicker turn-around. This would mean that we would be taking money from the CPA for future, unknown projects. This would allow us the funds to place conservation restrictions, conduct surveys until it could be voted at Town Meeting.

Roland asked if all these parcels were available. Morene responded that there are myriad smaller parcels that aren't listed. The bar was set based on the value of the land.

Tom introduced the Conservation Commission. It is a 7-member Board whose members can serve 2 3-year sessions. The LSC works under its auspices helping to take care of the 1,600 acres of land the ConsCom oversees. There are 50 Eagle Scout projects on conservation land and 70-80 wetlands filings each year. **Andy Magee**, the current chair, spoke in more detail of the ConsCom's work.

There are four goals/responsibilities:

1. Administer State Wetlands Protection Act (administer State regulations).
2. Oversee the local wetlands protection by-laws (zoning)
3. Oversee the LSC
4. Help with the Open Space Plan

The ConsCom's jurisdiction involves reviewing projects in or adjacent to wetlands. Riverfront area is considered a 200-foot area along a stream. The presumption is that wetlands have a certain value: storm damage prevention, drinking water, surface water, wildlife habitat, flood control. Andy said their primary concern is protecting people.

Karen O'Neill, from Acton Conservation Trust spoke next. ACT is an independent non-profit organization working in conjunction with other groups in town. ACT was estab. in 1962 when the town was buying a lot of land with State money. It was focused primarily around recycling. In 1998 it became a land trust. She outlined certain methods that can be used to preserve open space:

1. A person could donate it
2. A person could sell it
3. A Conservation Restriction could be placed on it with permanent deed easements to protect the land from development

ACT stays active in state and national organizations of land trusts. They have secured the pro bono services of a lawyer who is knowledgeable about CR's, etc.; they can offer that expertise to the CPA, if needed. The primary purposes of ACT are:

1. Identify key parcels that are unprotected and determine strategies to see if they are/should be protected. They are opportunistic in approaching landowners when parcels do come up for sale. An example would be the Robbins Mill land; they worked with the Trust for Public Land to bring it before Town Meeting.
2. Educate the Town at large about conservation issues by holding forums on different topics.
3. Raise funds to support these initiatives. They have \$36,000 in assets.
4. Be a resource in town for people who own land. They have a large of information available, including comparative research with other towns. They are also involved with other land

groups. ACT feels it can help the CPC by being proactive in approaching landowners and suggesting different means for protecting it.

Karen made an important point: If we use CPA money to buy land in order to count toward the 10%, we must put a Conservation Restriction on it. The CPC should talk to ACT about CRs.

Walter suggested that we develop email lists of the groups we meet with, in order to have quick and effective communication.

ACTION: The Communications Subcommittee should issue proposal submission forms to these open space organizations.

David Cochran from the Land Stewardship Committee spoke next. The LSC has 14 members who manage 13 parcels of conservation land in Acton. They take care of, protect, make accessible and are advocates of open space. They sponsor educational forums (on beavers, vernal pools, invasive species, etc.) They help with the Merriam School service learning (5th and 6th graders) on conservation land. They are in the final stages of publishing a guide to all conservation land in Acton. The maps will be in color, with the coding corresponding to the blazing on the trails. They want to encourage people to explore the conservation lands. It costs \$7,000-8,000 to publish the guide.

Ways they could use CPA funds: Heath Hen to Captain Sargent to Stow trail. Putting trails in Robbins Mill land.

Jane Ceraso, from the Acton Water District, spoke next. The AWD was established in the early 1900's to streamline the delivery of water. It now provides about 90% of the water to Acton. Jane was hired four years ago as the environmental manager to maintain environmental compliance and initiate a conservation program. She is most concerned about water conservation. The demand projections conducted in the early 1980's were based on projected growth and that happened to be a period of slow growth in Acton. We are up against our DEP groundwater withdrawal limit.

Jane also conducts source protection work, as she doesn't see us obtaining new water sources any time soon. The quality of water is a priority. We have 5 Zone 2s which protect our public water supply wells. How they determine Zone 2: they simulate a drought period for 6 months and project maximum pumping. The area contributing water under this condition is then modeled, and designated the Zone 2. By protecting the Zone 2, we provide a conservative protection zone for the well. She completed a detailed analysis of land use near Zone 2s. They are most interested in parcels that protect water quality and protect Zone 2s.

It's important to protect land that is contiguous to the AWD land, such as near wells and treatment plants. Jane mentioned that the AWD's priorities for protection would be land in/near Zone 2 areas, and possible future water supply land. Such parcels should be given priority status when using CPA funds in selecting an important parcel. Andy commented that multi use with water protection should be a value.

Jane addressed the issue of water quantity. Future water supply lands should be a high priority (aquifers). They could also tap potentially protective bedrock areas for possibly getting future water. The AWD has had a fracture-trace analysis conducted, which identifies some potentially productive bedrock aquifers in town.

Mary Michelman, from the Acton Stream Team, spoke last. The AST was formed in 1998 to identify assets and problems associated with streams. They conducted a survey of the two main streams in Acton, Nashoba Brook and Fort Pond Brook. They also looked at the tributaries and named the stream sections.

Their main objective is public education such as:

- Working with ConsCom to determine which are intermittent and which are permanent streams
- Earth Day – a hands-on activity which describes run-off
- Cleanups (such as railroad batteries)
- Advocacy of the Rail Trail
- Ecological landscaping
- Storm drain stenciling
- Providing info. on fisheries in town
- Provide opportunities for stewardship: things you can do as a school, individual, etc.

They are not a non-profit and have a large email list.

Morene mentioned that 35 of the 180 parcels in the OSRP directly abut the streams. 4-5 parcels are germane to the Bruce Freeman Rail Trail.

Final Business

We will consider what other boards/committees in Acton we should invite to address the CPC. Don Johnson will be invited to our next meeting May 20th.

Beginning in June we will bring working drafts to the meetings. Town Counsel will review them.

Respectfully submitted,

Catherine Coleman